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*Solutions, not obstacles<sup>SM</sup>***FAX COVER PAGE****Date:** October 31, 2005**Pages (including this page):** 4**To:** Examiner Anuradhu Ramana  
U.S. Patent & Trademark Office  
Group Art Unit 3732**Fax:** 571-273-8300 **Phone:****From:** Douglas A. Collier**Fax:** (317) 636-1507 **Phone:** (317) 238-6333**Subject:** U.S. Patent Application No. 10/092,961 to Young**Comments:****Hard Copy Will Be Sent Via:**

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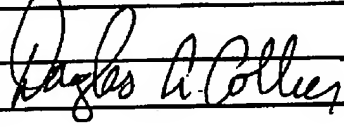
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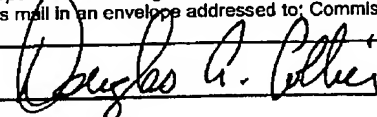
|   |                        |                    |
|---|------------------------|--------------------|
| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number     | 10/092,961         |
|   | Filing Date            | March 4, 2002      |
|   | First Named Inventor   | John Stewart Young |
|   | Art Unit               | 3732               |
|   | Examiner Name          | Anuradhu Ramana    |
|   | Attorney Docket Number | MSDI-44/PC614.00   |
| Total Number of Pages in This Submission  |                        | 3                  |

| ENCLOSURES (Check all that apply)   |  |  |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Interview Summary |
| Remarks   |  |  |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |   |          |        |
|--------------|---|----------|--------|
| Firm Name    | Krieg DeVault, LLP  |          |        |
| Signature    |  |          |        |
| Printed name | Douglas A. Collier  |          |        |
| Date         | October 31, 2005  | Reg. No. | 43,556 |

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| Typed or printed name   | Douglas A. Collier  | Date | October 31, 2005 |

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                                |   |                                |
|--------------------------------|---|--------------------------------|
| In re patent                   | ) |                                |
| application of:                | ) | Before the Examiner            |
|                                | ) |                                |
| John Stewart Young             | ) | Anuradhu Ramana                |
|                                | ) |                                |
| Serial No. 10/092,961          | ) |                                |
|                                | ) | Group Art Unit 3732            |
| Filed March 4, 2002            | ) |                                |
|                                | ) |                                |
| DEVICES AND METHODS FOR SPINAL | ) | Atty Docket 4002-2665/PC614.00 |
| COMPRESSION AND DISTRACTION    | ) |                                |
|                                | ) | October 31, 2005               |

INTERVIEW SUMMARY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Examiner Interview mailed on September 30, 2005, please consider the following. Please provide any extensions of time which may be necessary, and charge any fees which may be due, or credit any overpayments, to Deposit Account No. 12-2424, but not including issue fees.

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*Douglas A. Collier*  
Signature

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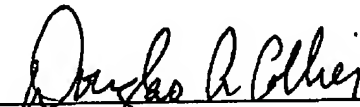
Interview Summary  
Ser. No. 10/092,961  
Atty Docket No. 4002-2665/PC614.00  
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**REMARKS**

Claims 1-27 and 29-42 are pending in the present application. Applicant's attorney thanks the Examiner for the courtesy of initiating an interview on September 22, 2005, to resolve outstanding issues with respect to the present application. In the interview, independent claim 27 was discussed in view of the Office Action response filed on July 21, 2005. In the interview, agreement was reached to amend claim 27 to include the features recited in original claim 28, and cancel original claim 28, as set forth in the Examiner's Amendment.

It is applicant's position that the claims are allowable in their original form. However, the amendments presented herein are provided to clarify the functioning of the lock and advance prosecution of the present application to a Notice of Allowance. Applicant reserves the right to pursue original claim 27 in a continuing application.

Respectfully submitted:

By:   
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Ser. No. 10/092,961  
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